

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
MINUTES OF A PUBLIC HEARING**

DATE January 21, 2003
 TIME 4:30 P.M.
 PLACE..... County Office Building
 20 N. 3RD Street
 Lafayette, IN 47901

MEMBERS PRESENT

Jack Rhoda
 Jan Mills
 KD Benson
 Ashley Stevenson
 Miriam Osborn
 Steve Schreckengast
 David Williams
 Kathy Vernon
 John Knochel
 Jeff Kessler
 Mark Hermodson
 Stuart Boehning

MEMBERS ABSENT

Karl Rutherford
 Laura Peterson
 James Miller

STAFF PRESENT

James Hawley
 Sallie Fahey
 Kathy Lind
 Joanna Grama, Atty
 Michelle D'Andrea

The Area Plan Commission of Tippecanoe County Public Hearing was held on the 21th day of January 2003, at 4:30 P.M., pursuant to notice given and agenda posted as provided by law.

President Jack Rhoda called the meeting to order.

I. PUBLIC HEARING

Jack Rhoda read the meeting procedures

Jeff Kessler moved that the Comprehensive Plan for Tippecanoe County, the Unified Zoning Ordinance of Tippecanoe County, and the Unified Subdivision Ordinance of Tippecanoe County, Indiana, are hereby entered by reference into the public record of each agenda item. Kathy Vernon seconded and the motion carried by voice vote.

Jeff Kessler moved to continue **Z-2107—TIPPECANOE DEVELOPMENT (R1 TO NB) and Z-2108—TIPPECANOE DEVELOPMENT (R1 TO R1B)** to the February 19, 2003 Area Plan Commission meeting. Kathy Vernon seconded and the motion carried by voice vote.

Jeff Kessler moved to continue **S-3269—RAINEYBROOK SUBDIVISION, PART 2, SECTION 2 (MAJOR-PRELIMINARY)** and **S-3270—WINDING CREEK SUBDIVISION, SECTION 2 (MAJOR-PRELIMINARY)** to the February 19, 2003 Area Plan Commission meeting. Kathy Vernon seconded and the motion carried by voice vote.

A. ORDINANCE AMENDMENTS

1. **UZO AMENDMENT #33**

Regarding residential uses on ground floors in part of Downtown Lafayette.

Jeff Kessler moved to hear and approve the above-described request. Kathy Vernon seconded the motion.

Sallie Fahey read the staff report with recommendation of approval if amended. She informed the Commission that the proposed modification would have to be amended on the floor.

Jeff Kessler moved to amend the text of **UZO Amendment #33** to the following in footnote 52:

Residential **uses** in the **Courthouse Proximate Area**, the **Downtown Main Street Area** and NBU and CBW **zones** shall be located above the non-residential ground floor, except that the one handicapped **accessible dwelling unit** may be located on the ground floor on non-elevator **buildings** in addition to non- residential **uses**.

Kathy Vernon seconded and the motion carried by voice vote.

Stuart Boehning stated that through conversations he has had with City officials, there is some concern with how this is written. He said that instead of passing this tonight, he would like to see it tabled and send it back to committee for additional discussion between the staff and committee.

Stuart Boehning moved to table **UZO Amendment #33**. Jeff Kessler seconded the motion.

John Knochel asked Stuart Boehning what his reasoning for tabling it was.

Stuart Boehning stated that the engineer's office was concerned and would like more restrictive wording but with exceptions. He said that they would like to hash out some of these concerns.

Tom VanHorn, City Redevelopment Department, 20 North 6th Street, Lafayette, IN, stated both his department and the engineer's office would like to see this tabled. He said that Gary Neal, the head of the Redevelopment Department, and Opal Kuhl would like to have more input to this Amendment. He asked it be tabled until next month.

Jack Rhoda asked if Stuart Boehning's motion to table mentioned the February 19, 2003 meeting.

Mark Hermodson stated that it would be required to be heard again at the next meeting.

The motion to table **UZO Amendment #33** to the February 19, 2003 meeting carried by voice vote.

2. **UZO AMENDMENT #34**
Regarding roadside stands.

Jeff Kessler moved to hear and approve the above-described request. Kathy Vernon seconded the motion.

Sallie Fahey read the staff report with recommendation of approval

Jeff Kessler asked staff to explain the wording of the amendment.

James Hawley explained that this amendment would allow a farm stand operator, in an A zone to purchase produce elsewhere and sell it on his property. He said that in a residential zone only items grown on the property could be sold.

The Commission voted by ballot 10 yes – 0 no to recommend approval of **UZO AMENDMENT #34.**

3. **USO AMENDMENT #3**
Regarding deletion of any mention of fees in the Unified
Subdivision Ordinance.

Jeff Kessler moved to hear and approve the above-described request. Kathy Vernon seconded the motion.

Sallie Fahey read staff report with recommendation of approval.

The Commission voted by ballot 10 yes – 0 no to recommend approval of **USO AMENDMENT #3.**

B. REZONING ACTIVITIES

1. **Z-2105—WILLIAM M. FLEISCHHAUER (SALISBURY PLACE PLANNED DEVELOPMENT) (CBW TO PDMX):** Petitioner is requesting rezoning of 0.876 acres at the southeast corner of South Salisbury and State Streets, for a first phase of 24 apartments containing 54 bedrooms, alongside a second phase of 4000 sq. ft. of retail building, all with 79 parking spaces, in West Lafayette, Wabash 20 (SW) 23-4.

Jeff Kessler moved to hear and approve the above-described request. Kathy Vernon seconded the motion.

Sallie Fahey read the staff's report with recommendation of conditional approval based on the following conditions:

Meeting all requirements of UZO 2-27-10 for submission of Final Detailed Plans, signed off by those noted in that section, to include:

1. All sheets (other than the preliminary plat) that make up the approved Preliminary Plan;

2. A first phase final plat for Lot 1, and a second phase final plat for Lot 2, both per *UZO* Appendix B-3-2 as applicable, submitted with Final Detailed Plans for each phase; and
3. A revised narrative written to the satisfaction of the West Lafayette Development Department, and a note on the plans indicating that the West Lafayette City Engineer and Development Director will review architectural details of the second phase and when satisfied, sign the submission.

Sallie Fahey read the addendum. She informed the Commission that the addendum was for informational purposes only and nothing needed to be changed at this time.

James Hawley presented slides of the zoning map, aerial photo and site plan. He reiterated the recommendation of approval.

Paul Coutts, C&S Engineering, 1719 Monon Avenue, Lafayette, IN, said that this is a unique project because there is a 26 foot elevation differential from corner to corner. He mentioned that it has been helpful in allowing the parking to be placed on the lower floor. He said that this is a two-phase project and they have worked extensively with West Lafayette to come up with a good-looking project. He reviewed the set up of the development. He stated that Andy Kingma, from the petitioner's office, was present and available to answer any questions. He asked for approval.

Mark Hermodson stated that this site has needed something good to happen to it and this project looked really good.

KD Benson stated that there are enough apartments in the County. She asked Jan Mills if the West Lafayette City Council was in favor of this development.

Jan Mills stated that the Development Department was in favor of this project and they always receive great cooperation from this developer. She mentioned that this was in the heart of the campus and students can walk to class.

The Commission voted by ballot 9 yes – 1 no to recommend conditional approval of **Z-2105—WILLIAM M. FLEISCHHAUER (SALISBURY PLACE PLANNED DEVELOPMENT) (CBW TO PDMX)** to the West Lafayette City Council.

Yes votes

Jack Rhoda
Jan Mills
KD Benson
Ashley Stevenson
Miriam Osborn
Jeff Kessler
Mark Hermodson
Kathy Vernon
Stuart Boehning

No votes

John Knochel

2. **Z-2106—JUAN ALVAREZ (A TO R3):** Petitioner is requesting rezoning of a 1.78 acre parcel for a proposed childcare center located on the north side of CR 700 S east of CR 350 E, Wea 26 (SE) 22-4.

Jeff Kessler moved to hear and approve the above-described request. Kathy Vernon seconded the motion.

Sallie Fahey read the staff report with recommendation of denial.

Sallie Fahey read into the record a letter dated January 17, 2003 from Virginia L. Parker, 2304 Shana Jane Drive, Lafayette, IN. The letter stated that she had recently purchased the property next door to the petitioner and was against the rezone request. She stated that she would be moving to this location in the next 30 days. She said that her reason for relocating was to be away from housing additions and apartments and be in a rural setting.

She mentioned that all of the homes in the area are single-family dwellings and a rezone would decrease the value of surrounding homes. She asked for denial.

Sallie Fahey read into record a letter dated December 31, 2002 from Carla L. O'Brien 6957 South 350 East, Lafayette, IN. The letter stated that she was out of town at the time of the meeting but would like her opinion to be read into record. She stated that she was in opposition of the petition because of the adverse affect a rezone would have on her property and surrounding properties. She said that an R3 zone would open the chance that the property could be used for multi family dwellings. She mentioned that this area operates on a septic system and should not be rezoned with out a proper sewer system. She stated that increased traffic and decreased property values would also be a problem.

James Hawley presented slides of the zoning map and aerial. He mentioned that there has never been a positive recommendation for a multi family zone on a septic system. He reiterated the recommendation of denial. He informed the Commission that a scaled down version for childcare would still be available.

Dave William and Steve Schreckengast joined the meeting (5:20 pm).

Maria Alvarez, 3626 East 700 South, Lafayette, IN, stated that she and her husband, Juan, were the petitioners. She said that they are not interested in having a day care of 20-30 children. She explained that she only wants permission to build a kitchen in the barn.

Juan Alvarez, 3626 East 700 South, Lafayette, IN, stated that they are more interested in having a home child care center and utilizing the barn for the children instead of having them in the house. He said that they wanted to make the most of the space they have on the property. He mentioned that they wanted to have a maximum of only ten children. He stated State of Indiana Department of Child Welfare informed him that Maria Alvarez, could be certified if they had a counter in the barn to prepare the food.

He said that they lie in between the ordinance and there is no room to work with the County.

Maria Alvarez informed the Commission that there is no way she can take care of more than 10 children. She stated that she has prepared herself for this business and received her certification. She said that the barn has been remodeled, but it does not have rooms or a shower. She reiterated all they were asking for is permission to put in a kitchen. She stated that the barn already has storage and a bathroom and they have permits for everything but a kitchen. She said that she wants to utilize the barn for more than just storage.

Greg Dallas, 3710 East 700 South, Lafayette, IN, stated that he was a direct neighbor of the Alvarezs' and was not against a day care with 10 children. He said that he was against the R3 zone. He informed the Commission that he moved out of the city to be away from the commotion. He said that he was opposed to anything that allowed a chance of multiple use dwellings. He stated that he has spoken to Juan Alvarez and does not believe that is their intent, but if they ever sold the property, anything could be built.

William Riehle, 6901 South 350 East, Lafayette, IN, stated that he had the same concerns as Greg Dallas. He said that he has nothing against Mr. and Mrs. Alvarez, only against the R3 zoning.

Maria Alvarez stated that they moved outside of Lafayette for the same reasons as the previous speakers. She said that they have lived there for over a year and they were very happy in a quiet environment and did not want that to change either. She stated that they did not want to break any laws, and asked what could be done to allow a kitchen in the barn.

Jack Rhoda asked if they understood that the issue is the R3 zone, which stays with the property forever.

Maria Alvarez stated that they have the same concerns. She said that they did not want an R3 either, but there was not another option that would allow a kitchen.

Juan Alvarez informed the Commission that he spoke with William Riehle and Greg Dallas as well as other neighbors and he agrees with them that it should not be an R3. He said that they would like another option also.

Jack Rhoda stated that he could not answer the question of what the other options are. He suggested that the staff might be able to answer that question.

Jeff Kessler stated that he appreciated their entrepreneurship and their good communication but could not approve this as submitted. He pointed out that the staff works very well with people and suggested speaking with them to try to work out another option for the kitchen. He mentioned that they might need to compromise, but that staff had to follow the rules of the Unified Zoning Ordinance.

Juan Alvarez asked who the staff was.

Jeff Kessler pointed out the staff members in the room.

Juan Alvarez informed the Commission that they have already spoken to the staff.

Miriam Osborn informed the petitioners that she currently works in day care also, and they may want to consider having the children in their home. She said that she was familiar with their location and the problem is due to having the children in the barn.

Maria Alvarez stated that they just wanted to utilize the extra space.

Miriam Osborn stated that she understood. She pointed out that the primary use could still be in the home with 6-10 children and use the barn as a play area. She said that there are ways to make it work with out changing the zoning to R3.

Juan Alvarez stated that he was told that the children could not be there at all.

Jack Rhoda stated that the Commissioners were not qualified to give proper advice. He said that it seemed reasonable that the barn or yard could be used as a play area.

Miriam Osborn pointed out that if the children were fed inside the home then the need for R3 would be eliminated. She said that she could not agree with an R3, even though she understands the goal of Mr. and Mrs. Alvarez, because it would open the door for multi-family housing. She said that this would be a horrible location for an R3, and the Commission would have to deny the request. She advised them to seek further guidance from the Area Plan staff.

Steve Schreckengast asked the petitioners if they have seen, read and understand the staff report.

Juan Alvarez stated that he does understand it.

Steve Schreckengast advised them that if they do not understand the report, they might want to consult an attorney who has experience in zoning. He reiterated that they currently could have a day care in the home with less than 10 children.

Juan Alvarez said that from the beginning they were told that the children could not be in the barn at all. He pointed out that his wife has received her certification and the children would be educated and not just baby-sat.

The Commission voted by ballot 0 yes – 12 no to recommend denial of **Z-2106—JUAN ALVAREZ (A TO R3)** to the Tippecanoe County Commissioners.

C. SUBDIVISIONS

1. S-3261—FAITH BAPTIST SUBDIVISION (MAJOR-PRELIMINARY):

Petitioner is seeking primary approval for a 21-lot single-family subdivision (plus one outlot) on 7.09 acres, located on the north side SR 26, approximately 1/4 mile east of CR 550 E, in Perry 19 (SE) 23-3. CONTINUED FROM THE DECEMBER MEETING.

Jeff Kessler moved to hear and vote on the above-described request. Kathy Vernon seconded the motion.

Sallie Fahey stated that there is not a request for bonding yet. She read the staff report with recommendation of conditional primary approval contingent on the following conditions:

1. The street shall be labeled "Old Barn Road" in the construction plans and on the final plat.

CONSTRUCTION PLANS – The following items shall be part of the Construction Plans application and approval:

2. The detailed plans and driveway permit for the SR 26 entrance shall be approved by the Indiana Department of Transportation.
3. The Lafayette City Engineer shall approve the sanitary sewer and water plans.
4. The fire hydrants shall be approved by the Sheffield Township Fire Department. Plans for the actual placement of the hydrants shall be approved by the City in cooperation with the Fire Department.
5. An Erosion and Sediment Control Plan meeting the requirements of 327 I.A.C. 15-5 shall be approved by the Tippecanoe County Soil and Water Conservation District and meeting the requirements of the County Drainage Board as required by Tippecanoe County Ordinance #93-18-CM.
6. The County Drainage Board shall approve the drainage plans.
7. An on-site utility coordinating sheet shall be approved and signed-off by the non-government utility companies. If any of these utilities are being extended from an off-site location, this extension shall be made a part of the utility coordinating sheet.

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

8. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
9. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
10. All required building setbacks shall be platted.
11. The street addresses and County Auditor's Key Number shall be shown.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

12. The purpose, ownership and maintenance of Outlot A shall be specified.

Sallie Fahey informed the Commission that a letter was just submitted requesting permission to bond.

James Hawley presented slides of the zoning map, aerial photo and site plan. He reiterated the recommendation of conditional primary approval.

Randy Williams, 810 Bank One Building, Lafayette, IN, stated that he represents the petitioner, Faith Baptist Church and all the members of their congregation. He pointed out that technically, not a lot of time need be spent on this petition because all of the requirements of the ordinance have been met and the appropriateness has been determined. He said that this is an R1 zone, even though it has been farmed for many years. He stated that this petition deals with 7 out of 46 acres that the Church owns. He pointed out that the connection to State Road 26 for this subdivision and for Eagles Nest, was negotiated by all parties and mediated by James Hawley, for the best possible solution. He mentioned that the entrance for State Road 26 was included in the INDOT improvement plans. He informed the Commission that city sanitary sewer and water would be extended at petitioner expense and offer opportunity for future expansion to other existing homes. He stated that this project meets all UZO requirements. He pointed out there is a lot of oversight including INDOT, Lafayette City Engineer, Tippecanoe County Soil Conservation District, County Drainage Board, Sheffield Township Fire Department and non-governmental utilities. He said that this is no different than any other subdivision, even though a church is the petitioner. He stated that all conditions are fine with the petitioner. He said that the project was first communicated to the neighbors and congregation in October 1999. He stated that a survey was sent out early in 2002, and concerns that were voiced in the responses were addressed. He said that the main issue comes down to transportation. He reminded the Commission that they have the agreement with Eagles Nest to allow INDOT to complete the widening of State Road 26. He mentioned that there was another informational meeting held for the neighbors on January 2, 2003. He stated that the intent was not to build on these lots before the State Road 26 project is complete or to sell off the lots. He said that these lots were going to be used for future ministry purposes. He stated that this has been the plan for several years and the neighbors have had ample opportunity for input. He informed the Commission the Church wants to be good neighbors and keep people involved. He stated that the petitioner wants to spread the ministry and that is the sole purpose for this project.

Teresa Burke, 5821 State Road 26 East, Lafayette, IN, stated that most of the residents in the neighborhood have lived there a lot longer than the Church has been there. She said that they consider their homes permanent. She stated that the Church is proposing homes with revolving doors. She informed the Commission that the Church does not know, or will not say, how long a potential resident will be allowed to live in these homes. She said that they appreciate the intent of these being missionary homes and providing a community service. She stated that the Church was prepared to provide temporary homes for all types of people including recently released prisoners and recovering addicts. She said that the Church wants to help and counsel these individual, but the question becomes, how many will succeed because this is not fail-proof program. She pointed out that when the surveys were sent out the intent to rehabilitate recently released prisoners was not mentioned. She said that she is not accusing the

Church, but does not think the survey would have had the same results. She said that a subdivision of this nature would decrease the value of neighboring homes. She informed the Commission that they are already losing 30 feet of their land to the expansion of State Road 26 to accommodate increased traffic partially caused by this subdivision. She said that the INDOT project is not receiving any complaints from them because it will not do any good. She stated that while the Church is sensitive to single parents and people in need, they are not sensitive to the neighbors or the impact this subdivision will have on them. She mentioned that the surrounding communities, Heritage Estates, Brookfield and Pineview Lane, have worked hard to create a healthy and safe environment to raise children and grandchildren. She said that the threat of living next door to a recently released child molester, drug dealer or house burglar takes that safety away. She posed the hypothetical question, as to how the Church would feel if all the neighbors banded together to zone commercial and sell to unacceptable businesses. She asked if their voice of opposition would be louder because they are the Church. She stated that the Church should not be allowed to bring this element to the neighborhood without 100% of residents' backing. She commended the Church for wanting to help people in need, but pointed out that putting a lot of people with problems in a small area would only create more problems. She suggested several clusters of homes throughout the Lafayette area, helping single parents with rent or helping someone find a home. She remarked that there are several ways to help people without putting them in the neighbors' back yards. Responding to Randy Williams' earlier question as to why she was posing opposition at this time, she informed the Commission that in the recently distributed brochure there is a very small paragraph under the seven year plan, which states the Church's true intent of housing recently released prisoners. She reiterated that this would be a revolving door subdivision.

Jack Rhoda reminded everyone that the appropriateness of this subdivision has already been established and arguments should be made on the technical requirements of the subdivision ordinance.

Theodore Dotson, 5882 State Road 26 East, Lafayette, IN, stated that he agrees with all of Teresa Burke's comments. He informed the Commission that he has attended all of the meetings at the Church and they never conveyed their intent of temporary residents or rehabilitation. He pointed out that the existing residents would be required to connect to the sewers and pay for it out of their own pocket. He asked if there would be a traffic light installed at the new intersection of State Road 26. He stated that he was in opposition to the petition.

Randy Williams stated that none of the citizen comments warrant a response, but he would be available to answer any question the Commissioners had.

Jeff Kessler stated that it is important to keep focused. He pointed out that this petition is beyond the rezone process and meets all requirements of the subdivision ordinance.

Several members responded that there is no choice in the matter; it meets all requirements.

Jack Rhoda stated that unless they find something in the petition that does not meet the ordinance on record, it must be passed. He reminded the Commission that there is a request for bonding.

The Commission voted by ballot 12 yes – 0 no to grant conditional primary approval of **S-3261—FAITH BAPTIST SUBDIVISION (MAJOR-PRELIMINARY).**

The Commission voted by ballot 12 yes to 0 not to permit bonding.

2. **S-3267—SEXSON SUBDIVISION (MINOR-SKETCH):**

Petitioners are seeking primary approval for a 3-lot subdivision on 10.562 acres, located on the east side of CR 750 E, approximately 1/2 mile north of CR 200 S, in Perry 33 (NW) 23-3.

Jeff Kessler moved to hear and vote on the above-described request. Kathy Vernon seconded the motion.

Sallie Fahey read the staff report with recommendation of conditional primary approval contingent on the following conditions:

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. Except for the approved entrance, a "No Vehicular Access" statement shall be platted along the CR 750 E right-of-way line.
2. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
3. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
4. All required building setbacks should be platted.
5. The Regulatory Flood Elevation and Boundary for the Flood Plain of the tributary of Wildcat Creek shall be shown. It shall also be described and certified as specified in Unified Zoning Ordinance, Section 2-26-17.
6. Street addresses and County Auditor's Key Number shall be shown.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

7. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.

James Hawley presented slides of the zoning map, aerial photo and sketch plan. He reiterated the recommendation of conditional primary approval.

Bob Gross, RW Gross and Associates, 420 Columbia Street, Suite 100, Lafayette, IN, stated that the petitioners were present. He said that they agree with all conditions and will answer any questions.

Donald W. King, 1238 South 750 East, representing his father Claude King, asked how far back the access from 750 to the house would be, if built on top of the hill.

Bob Gross stated that the building setback is 25 feet from the property line. He pointed out that the practicality of building on that slope is limited.

Donald King explained that his parents live at the bottom of the slope and they were concerned that the house would be right on top of them.

The Commission voted by ballot 12 yes – 0 no to grant conditional primary approval of **S-3267—SEXSON SUBDIVISION (MINOR-SKETCH).**

3. **S-3268—STONES CROSSING SUBDIVISION, SECTION 2 (MAJOR-PRELIMINARY):** Petitioner is seeking primary approval for 68-single-family lots on 16.04 acres, located west of Concord Road (west of Section 1) and just north of CR 430 S, in Wea 10 (SW) 22-4.

Jeff Kessler moved to hear and vote on the above-described request. Kathy Vernon seconded the motion.

Sallie Fahey informed the Commission that there was not a request for bonding yet. She read the staff report with recommendation of conditional primary approval, contingent on the following conditions:

CONSTRUCTION PLANS – The following items shall be part of the Construction Plans application and approval:

1. The Lafayette City Engineer shall approve the sanitary sewer and water plans.
2. The fire hydrants shall be approved by the Wea Township Fire Department. Plans for the actual placement of the hydrants shall be approved by the City in cooperation with the Fire Department.
3. The County Drainage Board shall approve the drainage plans.
4. An Erosion and Sediment Control Plan meeting the requirements of 327 I.A.C. 15-5 shall be approved by the Tippecanoe County Soil and Water Conservation District and meeting the requirements of the County Drainage Board as required by Tippecanoe County Ordinance #93-18-CM.
5. An on-site utility coordinating sheet shall be approved and signed-off by the non-government utility companies. If any of these utilities are being extended from an off-site location, this extension shall be made a part of the utility coordinating sheet.

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

6. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
7. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information

(Document Number and date recorded).

8. The street addresses and County Auditor's Key Number shall be shown.

James Hawley presented slides of the zoning map, aerial photo and preliminary plat. He reiterated the recommendation of conditional primary approval.

Marianne Owen, Stuart & Branigin, 300 Main Street, Suite 800, Lafayette, IN, thanked the Commission for taking time to hold a special meeting so that projects were not delayed. She requested permission to bond. She asked for approval. She agreed with the staff report and stated that this property and proposed development are consistent with the UZO and the USO. She said that all conditions were acceptable. She asked for approval of the subdivision and for permission to bond. She informed the Commission that the petitioners and developers were present to answer any questions.

The Commission voted by ballot 12 yes – 0 no to grant conditional primary approval of **S-3268—STONES CROSSING SUBDIVISION, SECTION 2 (MAJOR-PRELIMINARY)**.

The Commission voted by ballot 12 yes to 0 no to permit bonding.

James Hawley asked Jack Rhoda to repeat comments made before the meeting was called to order.

Jack Rhoda presented a list of the 2003 Standing Committees to the Plan Commissioners.

He stated that in response to Steve Schreckengast's concerns of efficiency, he has developed the following plan: written ideas on making APC more efficient from the public, staff or Commissioners, should be sent to the APC office in care of Jack Rhoda, by February 19, 2003; suggestions will also be heard at the February 19, 2003 meeting, accompanied by a written form. A work session is scheduled for March 12, 2003 at 4:30 pm for all Commissioners to review submitted suggestions. He explained that the February 19 deadline is established to enable staff to compile all the submissions and distribute to the Commissioners with enough time to review before the work session. He stated that the goal is to delegate worthy suggestions to a standing committee, who will further discuss, with public input, and make a recommendation of change back to the Commission, if necessary.

Steve Schreckengast asked for confirmation on the dead line.

Jack Rhoda stated they should be submitted by February 19; so all Commissioners can have them in hand by the March 12 work session.

Steve Schreckengast asked if there would be discussion at the February 19 meeting.

Jack Rhoda stated no.

Steve Schreckengast stated that was a great plan. He said that he would pass the word around to the engineering and development committee and Marianne Owen would do the same in the attorney community.

Jeff Kessler reiterated that this was a great idea and thanked whoever started it.

Several members agreed.

Jack Rhoda stated that Steve Schreckengast started it.

II. ADJOURNMENT

Jeff Kessler moved for adjournment. Kathy Vernon seconded and the motion carried by voice vote.

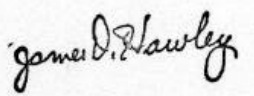
The meeting was adjourned at 8:20 P.M.

Respectfully submitted,



Michelle D'Andrea
Recording Secretary

Reviewed by,



James D. Hawley, AICP
Executive Director